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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/589,228	09/06/2007	Axel Feger	17-062 P / US	5773

26294 7590 03/04/2009
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EXAMINER

HEWITT, JAMES M

ART UNIT	PAPER NUMBER
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3679

MAIL DATE	DELIVERY MODE
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03/04/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/589,228	Applicant(s) FEGER ET AL.	
	Examiner JAMES M. HEWITT	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/6/07</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Amendment

The status identifier “(amended)” used for claims 4-6 is not an acceptable status identifier. Refer to 37 CFR 1.121.

Information Disclosure Statement

The foreign documents cited on the 9/6/07 IDS have not been considered as a place for the Examiner’s initials has not been provided on the 1449 form. Refer to 37 CFR 1.97 and 1.98.

Oath/Declaration

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It does not identify the citizenship of each inventor; much of the type is not readily discernible.

Specification

The disclosure is objected to because of the following informalities:

The appropriate section headings (i.e. "Background of the Invention", "Summary of the Invention", etc.) should be inserted throughout the specification.

Appropriate correction is required.

Claim Objections

Claims 1-15 are objected to because of the following informalities:

Claim 1 is objected to under 37 CFR 1.75(i), which states "Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation."

In claim 1, line 1, the phrase "the coupling" should be inserted before "having".

In claim 1, the last line overlaps with the first line of claim 2.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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In claim 1, lines 15-16, it is unclear as to how the latching structure (26, 27) relates to the latching structure (26, 27) recited on lines 10-11.

In claim 2, line 4, "the releasing structure (18, 19)" lacks proper antecedent basis.

In claim 3, reference numerals "(26, 27)" are used to designate both the protrusions and latching structure.

In claim 3, reference numerals "(16, 17)" are used to designate both the recesses and the releasing structure.

In claim 3, reference numerals "(18, 19)" are used to designate both the recesses and the releasing structure.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-15, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Bartholomew (US 4,423,892).

With respect to claim 1 and with particular reference to FIGS. 11 and 12, Bartholomew discloses a coupling for a fluid conducting system, having a coupling part into which an insertion section (41) of a counterpart (14) can be inserted, and having a locking part (160) which is mounted in movable fashion on the coupling part and which possesses a detent structure which in a detent position interacts with a complementary

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structure configured on the insertion section for locking the counterpart and the coupling part, characterized in that the locking part is configured with two side sections (164, 166) that are parallel to each other, that at least one longitudinal detent element (180) is configured on each of the side sections' insides facing the coupling part , that a latching structure (front 200/202) is present in the region of the free ends of the side sections, that the coupling part is configured with guide recesses (upper and lower open area recesses) that lie opposite each other and into which the detent elements engage, and that the coupling part is equipped in the region of one end of the guide recesses with a latching structure (as at 146) that is configured complementary to the detent structure (back 200/202).

With respect to claim 2, Bartholomew discloses a according to claim 1, characterized in that in the region of the other end of the guide recesses, the coupling part is equipped with a releasing structure (recesses in 140) that is configured in accordance with the releasing structure (140).

With respect to claim 3, Bartholomew discloses a according to claim 2, characterized in that the latching structure, the detent structure and the releasing structure exhibit protrusions and recesses that are aligned at a right angle to the detent elements in the longitudinal direction of the coupling part.

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With respect to claim 4, Bartholomew discloses a according to claim 1, characterized in that a relief structure (172) is configured in the region of the free end of the locking part.

With respect to claim 5, Bartholomew discloses a according to claim 1, characterized in that the locking part exhibits a fiat top section (flat of 206 as in FIG. 12) that is aligned at a right angle to the side sections.

With respect to claim 6, Bartholomew discloses a according to claim 1 characterized in that the detent elements are tapered in the direction of an insertion side of the coupling part.

With respect to claim 7, Bartholomew discloses a according to claim 2, characterized in that a relief structure (172) is configured in the region of the free end of the locking part.

With respect to claim 8, Bartholomew discloses a according to claim 3, characterized in that a relief structure (172) is configured in the region of the free end of the locking part.

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With respect to claim 9, Bartholomew discloses a according to claim 1, characterized in that the locking part exhibits a fiat top section (flat of 206 as in FIG. 12) that is aligned at a right angle to the side sections.

With respect to claim 10, Bartholomew discloses a according to claim 1, characterized in that the locking part exhibits a fiat top section (flat of 206 as in FIG. 12) that is aligned at a right angle to the side sections.

With respect to claim 11, Bartholomew discloses a according to claim 1, characterized in that the locking part exhibits a fiat top section (flat of 206 as in FIG. 12) that is aligned at a right angle to the side sections.

With respect to claim 12, Bartholomew discloses a according to claim 2, characterized in that the detent elements are tapered in the direction of an insertion side of the coupling part.

With respect to claim 13, Bartholomew discloses a according to claim 3, characterized in that the detent elements are tapered in the direction of an insertion side of the coupling part.

With respect to claim 14, Bartholomew discloses a according to claim 4, characterized in that the detent elements are tapered in the direction of an insertion side of the coupling part.

With respect to claim 15, Bartholomew discloses a according to claim 5, characterized in that the detent elements are tapered in the direction of an insertion side of the coupling part.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached ***Notice of References Cited***.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES M. HEWITT whose telephone number is (571)272-7084. The examiner can normally be reached on M-F, 930am-600pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James M Hewitt/
Primary Examiner, Art Unit 3679